

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re: :
Colin Peters : Chapter 13
Debtor :
: No. 5:19-bk-03928
Old Farm Estates Homeowners :
Association, Inc. :
Movant :
v. :
Colin Peters :
Respondent :

ORDER

AND NOW, this day of , 2021, it is hereby

ORDERED that Movant, Old Farm Estates Homeowners Association, Inc.'s, Motion for Relief from the Automatic Stay is **GRANTED**.

J.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	
	:	
Colin Peters	:	Chapter 13
Debtor	:	
	:	No. 5:19-bk-03928
	:	
Old Farm Estates Homeowners	:	
Association, Inc.	:	
Movant	:	
	:	
v.	:	
	:	
Colin Peters	:	
Respondent	:	

**MOVANT, OLD FARM ESTATES HOMEOWNERS ASSOCIATION, INC.'S,
MOTION FOR RELIEF FROM AUTOMATIC STAY**

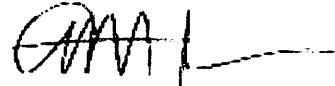
Movant, Old Farm Estates Homeowners Association, Inc., by its attorney, Edward Hoffman, Jr., Esquire, hereby moves this Honorable Court for relief from the automatic stay, and in support thereof asserts the following:

1. The Debtor owns the property at 183 Anna Road, Blakeslee, Pennsylvania. The property is a Unit in Old Farm Estates Homeowners Association, Inc.
2. At the time of the filing of this proceeding, debtor, Colin Peters, was indebted to the Association for assessments and related charges, all of which were and are due under the Association's Declaration, its Bylaws, and the Pennsylvania Uniform Planned Community Act, 68 Pa. C.S. 5101, *et seq.*
3. As a purported owner of the Unit, the Debtor is liable on an ongoing basis for the association fees against the Unit, including fees that are assessed and become due after the filing of this Motion for Relief.

4. Since the filing of his Petition, the Debtor has not paid any of the post-petition assessments and related charges due to the Association. A true and correct copy of the Transaction Listing, which is a business record of the Association and which shows all charges and credits to the account, is attached to this Motion.

WHEREFORE, Old Farm Estates Homeowners Association, Inc., respectfully requests that this Honorable Court grant it relief from the automatic stay so that it may take any and all actions necessary or appropriate to collect the post-petition association assessments and related charges (i.e. interest, late fees and collection expenses) which are or maybe due to the Association from Colin Peters on account of his residence of 183 Anna Road, Blakeslee, PA.

HOFFMAN LAW LLC



By:

Edward Hoffman, Jr., Esquire
Attorney for Movant
P.O. Box 609
Montgomeryville, PA 18936
484-229-8850

Owner Payment History

Old Farm Estates HOA

Colin Peters

183 Anna Road

Blakeslee PA 18610

~~LOT 12 - ACCOUNT 12~~

As of 5/28/2021

Run Date: 05/28/2021

Run Time: 10:45 AM

Date	Payments	Description	Code	Amount	Balance
1/1/2018			A1 - ASSESSMENT	\$423.00	
1/15/2018			04 - Interest	\$12.58	
2/15/2018			04 - Interest	\$12.58	
3/15/2018			04 - Interest	\$11.36	
4/15/2018			04 - Interest	\$12.58	
5/15/2018			04 - Interest	\$12.17	
6/11/2018			A1 - ASSESSMENT	(\$564.48)	
6/11/2018			04 - Interest	(\$120.07)	
6/15/2018			04 - Interest	\$5.39	
7/15/2018			04 - Interest	\$5.21	
7/23/2018			11 - Resale Cert.	(\$250.00)	
7/23/2018			A1 - ASSESSMENT	(\$423.00)	
7/23/2018			04 - Interest	(\$31.84)	
7/23/2018			11 - Resale Cert.	\$250.00	
8/29/2018			04 - Interest	(\$5.21)	
10/15/2018			11 - Resale Cert.	(\$250.00)	
10/15/2018			11 - Resale Cert.	\$250.00	
1/1/2019			A1 - ASSESSMENT	\$423.00	
2/15/2019			04 - Interest	\$5.39	
3/15/2019			04 - Interest	\$5.04	
4/15/2019			04 - Interest	\$5.39	
5/15/2019			04 - Interest	\$5.21	
6/15/2019			04 - Interest	\$5.39	
7/15/2019			04 - Interest	\$5.21	
8/15/2019			04 - Interest	\$5.39	
9/1/2019			11 - Resale Cert.	\$250.00	
9/15/2019		Apply Interest	04 - Interest	\$5.39	
10/15/2019		Apply Interest	04 - Interest	\$5.21	
11/15/2019		Apply Interest	04 - Interest	\$5.39	
12/1/2019		Add Charge	05 - Attorney Fees	\$260.00	
12/15/2019		Apply Interest	04 - Interest	\$5.21	
1/1/2020		Add Charge	05 - Attorney Fees	\$547.25	
1/1/2020		Apply Charges	A1 - ASSESSMENT	\$423.00	
1/15/2020		Apply Interest	04 - Interest	\$5.39	
2/15/2020		Apply Interest	04 - Interest	\$10.78	
3/15/2020		Apply Interest	04 - Interest	\$10.08	
4/15/2020		Apply Interest	04 - Interest	\$10.43	
5/15/2020		Apply Interest	04 - Interest	\$10.43	

Date	Payments	Description	Code	Amount	Balance
6/15/2020		Apply Interest	04 - Interest	\$10.78	
7/15/2020		Apply Interest	04 - Interest	\$10.43	
7/28/2020		Waive Charge	A1 - ASSESSMENT	(\$423.00)	
7/28/2020		Waive Charge	04 - Interest	(\$88.04)	
7/28/2020		Waive Charge	11 - Resale Cert.	(\$250.00)	
7/31/2020		Beginning Balance	04 - Interest	\$38.50	\$38.50
7/31/2020		Beginning Balance	05 - Attorney Fees	\$807.25	\$845.75
7/31/2020		Beginning Balance	A1 - ASSESSMENT	\$423.00	\$1,268.75
8/17/2020		Apply Interest	04 - Interest	\$15.63	\$1,284.38
9/15/2020		Apply Interest	04 - Interest	\$15.63	\$1,300.01
10/15/2020		Apply Interest	04 - Interest	\$5.20	\$1,305.21
12/15/2020		Apply Interest	04 - Interest	\$5.20	\$1,310.41
1/1/2021		Apply Charges	A1 - ASSESSMENT	\$423.00	\$1,733.41
			C3 - Reserve	\$50.00	\$1,783.41
			Assessment		
1/5/2021		Adjustment	04 - Interest	(\$53.96)	\$1,729.45
		► WRITE off due to bankruptcy			
1/14/2021		Apply Interest	04 - Interest	\$5.39	\$1,734.84
2/11/2021		Apply Interest	04 - Interest	\$10.78	\$1,745.62
3/15/2021		Apply Interest	04 - Interest	\$10.78	\$1,756.40
5/17/2021		Apply Interest	04 - Interest	\$10.78	\$1,767.18

Shaded transactions were imported from another application.

HOFFMAN LAW LLC

BY: Edward Hoffman, Jr., Esquire
Identification No. 88242
P.O. Box 609
Montgomeryville, PA 18936
484-229-8850

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Movant	:	
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CERTIFICATE OF SERVICE

I, Edward Hoffman, Jr., Esquire, hereby certify that the Motion, Notice and Proposed Order for Relief from the Automatic Stay was served by first class mail, postage on the following:

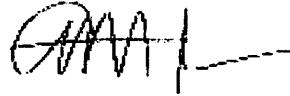
Vincent Rubino, Esquire
Newman, Williams, Mishkin, Corveleyn, Wolfe & Fareri
P.O. Box 511
712 Monroe Street
Stroudsburg, PA 18360

Colin Peters
183 Anna Road
Blakeslee, PA 18610

Charles J. DeHart, III, Chapter 13 Trustee
Via E-filing

U.S. Trustee
Via E-filing

HOFFMAN LAW LLC



By:

Edward Hoffman, Jr., Esquire
Attorney for Plaintiff

Date: June 16, 2021